

CITY OF ISSAQUAH
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Construct a single family residence (\pm 2,900 SF building footprint) on a 1-acre parcel adjacent to Lake Sammamish. There is a small tributary stream, West Village Park Creek, on the north side of the property, which is rated as a Class 2 salmon stream because it directly connects to Lake Sammamish. Class 2 salmonid streams require a 100-foot buffer. The maximum width of the parcel is approximately 125 feet and therefore a residence cannot be constructed outside the stream buffer and a variance is required. The residence is proposed approximately 30-feet at the closest point to the stream. The proposed house would be setback approximately 145 feet from Lake Sammamish, far exceeding the 35-foot buffer plus 15-foot building setback required from the lake.

The site contains an existing residence and outbuildings adjacent to the stream which would be removed, and the proposed construction would decrease the total impervious surface area compared to existing conditions.

The proposal includes mitigation: removing existing rockeries armoring the streambank, grading back the streambank and planting a 30-50 foot wide buffer with native riparian plants, and removing an existing concrete boat ramp in the lake.

Proponent: Dan Buchser
MacPherson Construction
21626 SE 28th St
Sammamish, WA. 98075

Permit Number: VAR15-00001

Location of Proposal: 5104 NW Sammamish Road

Lead Agency: City of Issaquah

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment/Appeal Period: This MDNS is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii. There is a 21-day combined comment/appeal period for this determination, between **August 27, 2015 to September 17, 2015**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

- 1) This threshold determination is based on review of the site plans received April 17, 2015; Critical Areas Report received April 17, 2015; Stream Buffer Impacts and Enhancement Plans (Altmann Oliver Associates) received April 17, 2015; environmental checklist received April 17, 2015; and other documents in the file.

- 2) Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Shoreline Master Program, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Site Conditions and Project Description – The 1-acre site is presently developed with a single family residence and several outbuildings immediately adjacent to the stream. The existing residence is approximately 40 feet from the stream. There are several (6) existing outbuildings (a shed, shop, shelter, awnings) that are within 25 feet of the stream.

The parcel width ranges from approximately 40 feet to 125 feet at the widest point. Therefore, there is no available building area outside the 100-foot stream buffer. The existing residence is approximately 40 feet from the stream and the proposed residence would be 30 feet from the stream at the closest point. However, the proposal would remove the 6 existing small structures (total 1,500 SF) that are within 25 feet of the stream. The overall impervious surface area within the stream buffer would be decreased (approximately 1,178 SF) compared to existing conditions.

The existing parcel is a 1-acre lot, far exceeding the 6,000 SF minimum lot size of the underlying zoning (Single Family Small Lot), and the lot is significantly larger than surrounding lakeshore residential parcels. The proposal for one residential house on a 1-acre lot avoids potential subdivision into multiple lots, thereby minimizing the potential environmental impacts.

2. Stream – There is a small tributary stream, West Village Park Creek, on the north side of the property, which is rated as a Class 2 salmon stream because it directly connects to Lake Sammamish. The upstream segment of the stream, to the south of I-90, is rated as a non-fish stream (*Stream Inventory and Habitat Evaluation Report*, Parametrix 2003).. This coincides with the WDFW SalmonScape map which shows the culvert (994415) under NW Sammamish Road as a total blockage to fish passage. It's estimated that the drainage basin is approximately 45 acres, mostly within a forested ravine south of I-90.

The stream conditions on-site have been heavily disturbed and degraded with vertical rockeries (3-5 feet in height) armoring the streambanks. The stream buffer is currently maintained as a residential yard and there are few trees and/or native plants. There are a couple existing conifers along the stream which are proposed to be retained, unless they are determined to be hazard trees because the trees have been topped and have dual leaders. The current buffer conditions do not provide any significant habitat, water quality functions, or screen the stream from the existing residence.

The proposal includes the following measures to improve the existing stream conditions and to mitigate for impacts of constructing the new residence within the stream buffer:

- 1) The existing asphalt driveway access to the site is located at the north end of the property, approximately 15-30 feet from the stream. The proposal would relocate the driveway access to the south end of the site, approximately 55-75 feet from the stream. The existing asphalt drive would be removed and restored with buffer vegetation.
- 2) There are 6 small existing outbuildings (total 1,500 SF) that are within 25 feet of the stream and would be removed under the proposal. There is an existing footbridge across the stream which also would be removed. In addition, an existing garage building located close to the street frontage and approximately 40 feet from the stream would be removed.
- 3) The proposal would remove the existing concrete boat ramp extending into Lake Sammamish and most of the existing asphalt drive along the south property boundary, which provides access to the boat ramp. The asphalt drive presently extends from NW Sammamish Road to the lake. A

portion would be retained for the new driveway access, but the remainder of the asphalt drive to the east (toward the lake) of the proposed residence would be removed.

- 4) The proposal would result in a net decrease of approximately 1,178 SF of impervious surface area within the 100-foot stream buffer. The removal of impervious surface areas include: removal of the existing driveway access, the concrete boat ramp and asphalt drive to the ramp, and the outbuildings.
- 5) Stream channel – The streambanks are currently armored with vertical rockeries. The proposal would remove most of the armoring and grade back the side slopes of the stream to provide a more naturalistic stream. There are existing fish passage impediments (rocks, concrete) in the stream channel which would be removed. Gravels would be added to the stream channel where large angular rocks are removed.
- 6) Stream buffer planting –The proposal would enhance the stream buffer, ranging in width between 30 and 50 feet. The proposed buffer planting includes dense riparian planting within 10 feet of the streambank and moderate buffer plantings within 25-50 feet of the stream. The dense buffer planting along the entire stream channel would provide shade and overhead cover, contributing detritus and other desirable inputs to nutrient cycling and food web dynamics. The inner, dense stream buffer planting would be consistent with the King County mitigation guidelines for planting density. The outer portion of the buffer would be planted with native shrubs and groundcovers to transition into the maintained yard area. The planting density would be approximately 2/3 of the King County mitigation guidelines for planting density for shrubs and groundcover.
- 7) Cobble placement, gravel augmentation along the lakeshore, adjacent to the existing dock.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist received March 23, 2015 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. The dense stream buffer planting adjacent to the stream shall be increased to a 15-foot width to allow more plant triangular spacing to improve shade and cover for the stream. This buffer planting shall adhere to the King County mitigation guidelines for planting density.
2. The cobble/gravel placement along the lakeshore and gravels within the stream channel shall meet specifications of the Washington Department of Fish and Wildlife (WDFW). The gravel augmentation along the lakeshore shall extend waterward of the ordinary high water mark (OHWM), subject to approval by WDFW.
3. The applicant shall coordinate with and receive WDFW approval for a stream bypass, seasonal construction timing limits, and temporary erosion sedimentation control (TESC) measures for the proposed in-stream work.
4. Final stream buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Final plans shall include a grading plan, planting plan and a 5-year monitoring/maintenance plan with performance standards for monitoring success of the enhancement planting. The plans shall meet King County Critical Areas Mitigation Guidelines for monitoring performance standards.

5. The applicant shall provide an as-built plan of the stream buffer enhancement and the consulting biologist shall verify in writing that the planting has been installed per plan prior to the final approval of building permits.
6. The planted stream buffer area shall be recorded on the property title as a Native Growth Protection Easement (NGPE); prohibiting construction and improvements in the buffer area to preserve the planted native riparian vegetation. The NGPE shall be recorded prior to final building permit approval.
7. A 5-year monitoring/maintenance period is required for the stream buffer enhancement. The applicant shall provide a bond amount equal to 50% of the cost of plants, labor and the 5-year monitoring/maintenance cost prior to final building permit approval.

Responsible Official: Peter Rosen
Position/Title: Senior Environmental Planner
Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094
Date: 8/27/2015 **Signature:** Peter Rosen

cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
Washington State Department of Archeology and Historic Preservation (DAHP)
Issaquah Development Services Department
Issaquah Public Works Engineering and Parks and Recreation Departments